

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHELSEA L. DAVIS

v.

**LESLIE D. WARE, MCKOOL SMITH P.C.,
MCKOOL SMITH HENNIGAN P.C., THE
WARE FIRM LLC, PANOPTIS IP LLC,
WILLIAM A. ACKMAN, J. KYLE BASS,
CHAD BUSHAW, CLINT D. CARLSON,
WILLIAM C. CARMODY, JAMES S. CHANOS,
LEON G. COOPERMAN, CARLOS R.
CORTEZ, HARLAN R. CROW, STEPHEN
JONES, JON STEVENS, and R. BRIAN TEAL**

**CASE NO. 3:13-CV-4926
CONSOLIDATED WITH CASE NOS.
3:13-CV-4973, 3:14-CV-0056,
3:14-CV-3962, 3:14-CV-3963
(for making Original Proceedings,
Federal Question)**

NOTICE OF PRELIMINARY INJUNCTION

This Notice of Preliminary Injunction provides notice that it appears no proceeding has yet been instituted under this Case Number, but Chelsea Davis intends to proceed on all claims stated in her Original Complaint.

Chelsea L. Davis, who is to become Plaintiff in *Chelsea L. Davis v. Leslie D. Ware et al*, has not yet been able to proceed in any lawsuit because of what appears to be a sealed motion for anti-suit injunction against Chelsea L. Davis, the Attorney Issued TX Bar No. 24059652, obtained by Samuel F. Baxter, the attorney issued TX Bar No. 01938000, prohibiting Chelsea Davis from instituting any proceedings in any court. *See* unrelated motion in sealed Case No.

14-7088 in the United States District Court for the Eastern District of Texas, which may be accessed only by that court through *Chelsea L. Davis v. Samuel F. Baxter*, 4:13-cv-514-RC, which appears to be an original proceeding or placeholder for an original proceeding in the United States District Court for the Eastern District of Texas. If the injunction was effective previously, then Chelsea Davis has not yet and could not have instituted any civil lawsuit or administrative proceeding regarding facts since 2010. The United States Supreme Court may be the only Court that can help.

Leslie Ware appears to have obtained an injunction against Chelsea Davis under the corollary to the prohibition of predecessor to 28 USCS § 2283 (i.e. the anti- anti-suit injunction rule allowing for anti-suit injunctions) against injunction to stay state court “proceedings,” which includes all steps taken or which may be taken in state court or by its officers from institution of suit to close of final process. The date on which injunctive relief is sought in federal court, rather than the date on which injunctive relief is granted, determines whether state actions are “pending” within the meaning of the Anti-Injunction Act. *National City Lines, Inc. v LLC Corp* 687 F2d 1122 (1982, CA8 Mo).

The injunction applies to appellate as well as to original proceedings, applies to action by court and by its ministerial officers, applies not only to execution issued on judgment but to any proceeding supplemental or ancillary taken with view to making suit or judgment effective and whether such supplemental or ancillary proceeding is taken in court which rendered judgment or in some other forum, and governs privy to state court proceeding as well as parties of record. *Hill v Martin* (1935) 296 US 393; *Resolute Ins. Co. v North Carolina* (1967, ED NC) 276 F.

Supp. 660, aff'd. (1968, CA4 NC) 397 F2d 586, cert den (1968) 393 US 978, 21 L Ed 2d 439, 89 S Ct 446; *Drexler v Walters* 290 F. Supp. 150 (1968, DC Minn).

The date on which injunctive relief is sought in federal court rather than the date on which injunctive relief is granted determines whether state actions are "pending" within meaning of Anti-Injunction Act. *National City Lines, Inc. v LLC Corp.* (1982, CA8 Mo) 687 F2d 1122, CCH Fed Secur L Rep P 98778.

Accordingly, all statutes of limitations are being tolled on all claims by Chelsea Davis since the first filing, likely on Sept. 8, 2010, perhaps on Aug. 30, 2011 and/or perhaps on Dec. 15, 2011, and no proceeding since then has instituted. BECAUSE THIS INJUNCTION APPLIES TO ALL COURT OFFICERS, THIS CASE NUMBER OPENED BY CHELSEA L. DAVIS PRO-SE MUST REMAIN OPEN. Also, it appears that public notice may be posted and likely must be posted.

Chelsea Davis will seek relief from preliminary injunction however she can. At this time, she may provide notice of her intent to apply for a writ or other relief from appellate courts, and such notices are not part of this proceeding because it appears there has not been any proceeding. There may not be any order or judgment from which to appeal at this time. Since there is no record, there is no need to provide a Federal Express courier account number.

Finally, I hereby certify under my Certificate of Attorney and verify under oath subject to penalty of perjury that I am of sound mind, over 18 years of age, and capable of making this affidavit: "Given my current financial circumstances, I cannot afford to arbitrate my claims because I could not afford to undertake this litigation and pursue my rights if I had the risk of paying McKool Smith P.C.'s costs which may be in excess of \$75,000 if I lost at arbitration."

Accordingly, I may consent to becoming a party plaintiff in a suit under the Fair Labor Standards Act against McKool Smith P.C. if and only if I may institute suit pro-se and the suit is not part of or related to Case No. 3:06-cv-01440-B or some other case number, sealed or not, opened in the United States District Court for the Northern District of Texas, which looks to me like fraud, either on the court or on prospective "Associates" whom lawyers and/or judges intend to abuse.

Dated: Nov. 11, 2014

Respectfully submitted,

/s/Chelsea L. Davis
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CERTIFICATE OF SERVICE

On Nov. 11, 2014, I electronically submitted the foregoing document using the electronic case filing system. I hereby certify that I have served all counsel and/or pro se parties of record (or non-record) electronically by email or, as a pro-se party, on the date it is electronically

docketed in the court's CM/ECF system, as authorized by the Federal Rule of Civil Procedure 5(b)(2) and the Local Rules of this Court, or otherwise, to the extent possible.

Dated: Nov. 11, 2014

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